

Application No. 10/659,192
Docket No. 1999U037D1.US-CON
Reply to Office Action Dated June 2, 2005

Remarks

Double Patenting

Claims 1 and 8-10 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 5-6 and 8 of US 6,541,412. The Applicant submits a Terminal Disclaimer to this issued patent.

The Applicant thus requests that this rejection be withdrawn.

Claim Objections

Claims 1, 12, 21 and 22 were objected to for informality/typographical errors. These have been corrected as suggested by the Examiner.

Section 102 Rejection

Claims 1-3 and 5-11 were rejected under 25 U.S.C. § 102(b) as being anticipated by *Nagy et al.* (WO 97/45459). Claims 12-19 and 23-37 were separately rejected under 35 U.S.C. § 102(b) as anticipated by the same. The Applicant traverses this rejection.

The Examiner states that *Nagy* discloses that "L⁴ [is] a monoanionic aromatic ancillary ligand π -bonded to M, which can be a cyclopentadienyl or substituted cyclopentadienyl ring" (Office Action, pages 4 and 5). The Applicant agrees with this. Nowhere in Claim 1 or 12 is any pendant group of the "14 and Group 16 atom containing oil or amorphous solid" is there a "cyclopentadienyl or substituted cyclopentadienyl" as in *Nagy*. *Nagy* is in fact directed to a metallocene catalyst composition that has been covalently bonded to a polysulfone type of compound. Applicant is not claiming such a composition.

The Applicant thus requests that this rejection be withdrawn.

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Section 103 Rejection

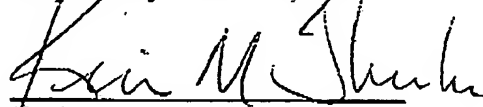
Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over the same. Also, Claims 20-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nagy in view of Devore *et al.* (US 5,556,928). The Applicant traverses these rejections for the same reasons as stated above. Given that all claim features are not disclosed in the prior art, the claims should be allowed as they stand.

The Applicant invites the Examiner to telephone the undersigned attorney if there are any other issues outstanding which have not been presented to the Examiner's satisfaction.

Date

July 8/05

Respectfully submitted,



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